

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Madison County        ) Application No. 911-023.46  
Public Safety Answering Point,        )  
Madison, seeking funding                )  
approval for recurring and non-        ) ORDER APPROVING FUNDING  
recurring costs of Enhanced            )  
Wireless 911 implementation.            )  
  ) Entered: October 3, 2006  
  )

BY THE COMMISSION:

By written request for funding received from Madison County, Madison, seeks funding from the Enhanced Wireless 911 Fund (Fund) for expenses to develop and maintain Geographical Information System (GIS) data necessary for the implementation of Phase II wireless enhanced 911.

Payment was made by the County to GeoComm and documentation of the payment has been provided in the amount of \$30,358.00. Further, Madison County has submitted a copy of the contract with GeoComm for development of the data and a written verification that it has received the GIS data from GeoComm and that it contains all map layers under the initial contract.

Madison County has now entered into an additional contract for services with GeoComm for the development of the cellular map layer and maintenance of GIS Data and has provided a copy of the contract with its request for funding.

In the contract, Madison County authorizes the Nebraska Public Service Commission to remit all payments for GIS data development and maintenance to GeoComm with the exception of those payments already made by Madison County to GeoComm.

Madison County seeks reimbursement of initial costs of \$30,358.00 for development of map layers. Furthermore, Madison County seeks approval of costs going forward of \$12,300.00 for cellular layer development and costs associated with maintenance of the GIS data and MSAG information in the amount of \$38,425.00 for a five-year period. Payments on the maintenance contract shall be paid annually in the amount of \$3,625.00 for the first year and \$8,700.00 per year for years two through five, commencing after completion of the data development and MSAG comparisons.

Norfolk PD is currently receiving Phase I funding from the Enhanced Wireless 911 Fund; however, Madison County, consistent with the proposed interim policy of the Commission to fund only

one PSAP per county, is not. Regardless, Madison County has already pursued development of GIS data which will be made available to all PSAPs statewide, including Norfolk PD. Furthermore, Norfolk PD has not contracted or expended any funds for the development of GIS data. Madison should therefore be reimbursed, and no funding for the development of duplicate GIS data will be approved for Norfolk PD in the future.

#### O P I N I O N      A N D      F I N D I N G S

This request for funding is being processed pursuant to Neb. Rev. Stat. §§ 86-442 to 86-469 (2006 Supp.), 291 Neb. Admin. Code, Chapter 1, Section 5, Progression Order No. 5 in Commission Docket No. 911-001, entered July 16, 2002 and the October 18, 2005 Adopting Guidelines for GIS Funding in Docket No. 911-011.

Costs requested are eligible under Neb. Rev. Stat. § 86-465 (2006 Supp.). All costs have been incurred or will be incurred for the development of GIS data which is necessary for the future implementation of Phase II wireless enhanced 911 service.

Because Madison County has already paid GeoComm for the initial GIS data development, the Commission finds that payment should be made to Madison County in the amount of **\$30,358.00**.

Because Madison County authorizes GeoComm to receive all future payments on its behalf for wireless enhanced 911, the Commission finds that payment should be made to GeoComm upon invoice and in compliance with the Commission's orders, rules and regulations and applicable statutes. Only invoices that comport with the approved costs in this order will be paid.

No payment to GeoComm shall be made until Madison County has returned to the Commission a signed verification that they have received the completed data from GeoComm and that it comports with the RFP issued by the Commission.

Based upon the request for funding and supporting documentation, the Commission is of the opinion and finds that the request for funding should be granted.

Any amounts reimbursed by grants or other funding sources, shall not be eligible for reimbursement from the Fund.

The Commission and its authorized staff shall have access to all data developed. Additionally, agencies and political subdivisions of the State of Nebraska, to the extent allowed by law and by agreement of the parties, shall have access to data

as deemed appropriate by the Commission. The data and all updates shall be provided for inclusion in the centralized GIS data repository.

If the Nebraska Legislature fails to appropriate or authorize the expenditure of sufficient funds to provide for the payment of costs from the Fund for GIS development or if a lawful order issued in or for any fiscal year during the term of the contract for services reduces the funds appropriated or authorized in such amounts as to preclude making the payments from the Fund, the Commission will not be responsible for any costs not reimbursed by the Fund.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the request for funding of Madison shall be granted.

IT IS FURTHER ORDERED that the Commission shall remit to Madison County from the Enhanced Wireless 911 Fund **\$30,358.00**

IT IS FINALLY ORDERED that upon invoice from GeoComm, the Commission shall remit to GeoComm on behalf of Madison County, amounts that comport with this order.

MADE AND ENTERED at Lincoln, Nebraska this 3rd day of October, 2006.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chairman

ATTEST:

Executive Director